

25 July 1995

MEMORANDUM FOR MAJOR SUBORDINATE COMMANDS AND DISTRICT COMMANDS

SUBJECT: Planning Guidance Letter 95-02, Alternative Review Process

1. This guidance letter implements and provides guidance on alternative report processing. This guidance will be incorporated into the next revision of ER 1105-2-100, Guidance for Conducting Civil Works Planning Studies.

2. Purpose. The purpose of this guidance letter is to detail procedures and requirements implementing an alternative review process for early Washington level resolution of policy issues during conduct of feasibility studies.

3. Background. A task force on reducing costs and duration of feasibility studies was convened to review current policies and requirements governing feasibility studies. The task force recommended two major changes in the existing policy review process that would save time and cost in the processing of feasibility reports. The Director of Civil Works concurred in these recommendations. First, there will be an alternative review process that encourages earlier Washington level participation in plan formulation at an alternative formulation briefing (AFB). This is to foster early participation along the lines envisioned in the joint CECW-L/E/P memorandum dated 30 November 1993, Subject: Principles and Objectives of Project Document review. Secondly, districts will be allowed to release the draft report to the public concurrent with Washington level review of the report prior to the FRC upon successful completion of the AFB. Concurrent public review of the report would save between two and four months in the feasibility report schedule. Under the present process, release of the report for public review, typically, does not occur until after the draft report is revised to accommodate concerns raised at the FRC.

4. Alternative Review Process Overview. The alternative review process would separate review of the project study activities from review of the report. This is accomplished by supplementing the review of the draft feasibility report/NEPA document prior to the FRC with an AFB to discuss the proposed project and resolve policy issues. The AFB will take place when the district is prepared to present the alternative formulation and identify the NED plan and the tentatively selected plan. The AFB is not mandatory; however, the district is encouraged to have them to

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ensure that projects are formulated in accordance with policy so that major issues do not arise late in the study process. In carrying out their quality assurance role, the division may decide that an AFB is needed for a particular study even though the district has recommended otherwise.

At the AFB, policy issues identified by the division/district will be addressed as well as any other issues identified by higher headquarters during the briefing. It should be noted that this proposed process does not advocate any division/district delay in the resolution of issues until this briefing. On the contrary, it is expected that the division/district will seek to resolve technical and policy issues as they are surfaced and that most of the issues that could be resolved prior to selection of the plan would be resolved prior to the AFB. For the AFB to be successful, it is critical that all disciplines on the study team participate. In particular, sponsors, particularly technical elements of sponsor groups must be encouraged to attend and participate in the AFB discussions and decision making process.

Following the AFB, a guidance memorandum describing the issues discussed and their resolution will be prepared by CECW-P and the district will complete all required detailed analyses and prepare the draft feasibility report/NEPA document. The draft feasibility report/NEPA document will be distributed for the required 45-day public review concurrent with transmittal of the draft report to HQUSACE for Washington-level review. This review will be conducted similarly to the existing FRC process, except that the requirement for the FRC could be waived if the Washington-level concerns are minor.

5. Timing of the AFB. When an AFB is to be scheduled, the appropriate CECW-P regional branch should be contacted to discuss a range of proposed dates for holding the briefing. CECW-P will confirm the acceptability of the final date with other Washington level offices. The following criteria will be met:

a. The district is prepared to make a determination regarding the selection of the plan around which the feasibility report would be written. This means that the district has developed a complete array of alternatives, developed cost estimates and benefit analyses, and identified mitigation and real estate requirements and associated preliminary costs and that technical review supporting these analysis has been accomplished.

b. The district has performed necessary technical review

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appropriate to the current level of study.

6. Preconference Activities.

a. Ten copies of the preconference material will be forwarded to HQUSACE (ATTN: CECW-P) at least 21 calendar days before the date of the meeting. The transmittal letter will identify and discuss any policy issues requiring resolution and/or significant or potential issues that the division/district believes could affect the outcome of the project.

b. Preconference material will include pertinent information such as key assumptions, base conditions, without project conditions, alternative plans, economic and cost data, environmental considerations, etc., and include how concerns identified in the reconnaissance guidance memorandum and project study plan were addressed,

c. CECW-P will provide the division with any Washington level review comments developed on policy issues identified for review at least 5 days prior to the AFB. For the AFB, the district will prepare responses. The Washington level review comments and district responses will form the basis for a guidance memorandum that will be developed at the briefing.

7. Conduct of the AFB.

a. The AFB will be co-chaired by the division planning and PM representative. The AFB should be structured to encourage the surfacing and discussion of concerns, and development of consensus on resolution of issues.

b. The sponsor and appropriate Federal and State resource agencies should be encouraged to attend and participate fully in all discussions.

c. The district participants in the AFB should be prepared to discuss assumptions and methodology of studies conducted.

d. Discussions and required actions will be recorded by the district and will be part of the draft guidance memorandum developed at the briefing.

8. Post Conference Documentation - AFB Guidance Memorandum.

CECW-P will be responsible for finalizing the guidance memorandum drafted at the AFB. The final guidance memorandum for preparation of the draft report will be transmitted to the division office within 15 working days of the AFB. The district

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will be responsible for ensuring that concerns identified in the guidance memorandum are addressed prior to release of the draft feasibility report/NEPA document to the public and for preparing a compliance memorandum and submitting it at the same time the draft feasibility report/NEPA document is submitted to the Washington level for the FRC.

9. Mandatory FRC. This alternative review process does not automatically change the requirement for the FRC. However, it does provide discretion to waive the FRC if Washington-level concerns are minor. The present system of developing the PGM at the FRC will be continued.

10. Implementation. This guidance letter is effective immediately. For those feasibility studies already underway, the division will inform CECW-P of their intent to follow the alternative review procedures.

FOR THE DIRECTOR OF CIVIL WORKS:

/Signed /

G. EDWARD DICKEY
Chief, Planning Division
Directorate of Civil Works

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